

Thursday, March 26, 2009

House Meets At...	Votes Predicted At...
10:00 a.m. For Legislative Business Five "One-Minutes" Per Side	Last Vote: 1:00 – 2:00 p.m.

**Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.**

### Floor Schedule and Procedure

- **Complete Consideration of H.R. 1404 – Federal Land Assistance, Management and Enhancement Act (Rep. Rahall – Natural Resources)**: Pursuant to H.Res. 281, amendments to the bill may be offered only in the order listed in the report of the Committee on Rules accompanying the resolution and may be offered only by the Member designated in the report. Consideration of the bill will continue as follows:
  - Debate and possible votes on amendments to the bill.
  - Possible debate and vote on Republican motion to recommit the bill.
  - Vote on passage of the bill. **Democrats are urged to vote YES.**

### Bill Summary & Key Issues

#### **H.R. 1404 – Federal Land Assistance, Management and Enhancement Act**

For more than a decade, the skyrocketing costs of fighting wildland fires have forced federal land management agencies to “borrow ” funds from non-fire programs, thus eroding the core mission of these agencies. Wildland fire activities now account for approximately 48 percent of the Forest Service budget. Projections indicate that this trend will continue into the foreseeable future as a result of drought, climate change and other factors.

H.R. 1404 establishes a federal FLAME fund for catastrophic, emergency wildland fire suppression activities to be used when annually appropriated funds run out. The FLAME Fund is to be used only for suppression of catastrophic, emergency wildland fires and only after the Secretary of Interior or Agriculture

issues a specific declaration that the fire is large enough and dangerous enough to warrant tapping the fund.

The FLAME Fund would be available for catastrophic emergency wildland fire suppression activities on State and private land and would also be available for Indian tribes.

Section 3 of the FLAME Act requires the Secretary of the Interior and the Secretary of Agriculture to submit a report to Congress one year after enactment containing a cohesive wildland fire management strategy. The Government Accountability Office (GAO) has found that the federal land management agencies lack such a strategy and the USDA Inspector General found that the Forest Service lacks a system to ensure that the highest priority fuels reduction projects are being funded first. Therefore, the FLAME Act requires the report to address the GAO and Inspector General recommendations.

The bill also requires that annual reports on the FLAME Fund are made available to the public; requires the Secretaries to conduct a review of wildland fire incidents that result in expenses greater than \$10,000,000; and requires the Secretaries to notify Congress whenever the FLAME Fund drops to a level estimated to cover just two months worth of expenditures.

The Senate companion measure to the FLAME Act was introduced by Senate Energy and Natural Resources Committee Chairman Jeff Bingaman and Ranking Member Lisa Murkowski. Furthermore, President Obama included funding that compliments the FLAME Act in his Fiscal Year 2010 budget request.

The FLAME Act is supported by the five living former Chiefs of the Forest Service, the Western Governors' Association, the American Forest and Paper Association, the National Association of State Foresters, the National Association of Counties, members of the Rural Voices for Conservation Coalition, the National Federation of Federal Employees, the Wilderness Society, the National Parks Conservation Association, and almost 40 other organizations.

#### **Amendments to H.R. 1404 – Federal Land Assistance, Management and Enhancement Act:**

1. **Rahall (WV)**, Would strike from the bill the Sense of Congress language on the designation of Flame Fund appropriations as emergency spending.  
(10 minutes)
2. **Perlmutter (CO)**, Would clarify that authorized suppression activities for the Flame Fund include containment activities in response to crisis insect infestations to reduce the likelihood of wildfires.  
(10 minutes)
3. **Polis (CO)**, Would require revisions of the cohesive wildland fire management strategy at least once every five years.

(10 minutes)

4. **Hastings, Doc (WA)**, Would require advance notice, in writing, to adjacent landowners whenever the Department of Agriculture sets a prescribed fire on National Forest System land.  
(10 minutes)
5. **Hastings, Doc (WA)**, Would require the review of certain wildfires specified in the bill to include an assessment of what actions, if any, could have been taken in advance of the fire that may have prevented the fire or at least reduced the severity of the fire.  
(10 minutes)
6. **Hastings, Doc (WA)**, Would require the review of certain wildfires specified in the bill to include an assessment of the quantity of greenhouse gases produced as a result of the fire.  
(10 minutes)
7. **Heinrich (NM)**, Would require the cohesive wildland fire management strategy required in the bill to include among its elements a system to assess the impacts of climate change on the frequency and severity of wildland fire.  
(10 minutes)
8. **Minnick (ID)**, Would require that the Secretaries, in considering severity of and threat posed by a fire for the purposes of determining whether to declare that a wildland fire suppression activity is eligible for funding from the Flame Fund, take into account areas where insect infestation has created an extreme risk for wildfire.  
(10 minutes)
9. **Luján (NM)/Markey, Betsy (CO)/Connolly (VA)**, Would require the cohesive wildland fire management strategy required in the bill to include among its elements a system to study the effects of invasive species on wildland fire risk. Would add to the list of eligible uses for cost-share grants provided for in the bill implementation of fire-safety programs focused on the eradication or control of invasive species.  
(10 minutes)
10. **Matheson (UT)**, Would require the cohesive wildland fire management strategy required in the bill to include among its elements a plan, developed in coordination with the National Guard Bureau, to maximize the use of National Guard resources to fight wildfires.  
(10 minutes)
11. **Roskam (IL)**, Would prohibit obligation of funds in the Flame Fund until 30 days after the submission by the Secretaries of the Interior and Agriculture of an initial estimate of anticipated wildfire suppression costs for the current and following fiscal year.

(10 minutes)

- 12. Kirkpatrick (AZ)**, Would amend the definition of "fire-ready community" in the bill to provide that a community satisfies the definition if it is located within a priority area identified by the fire risk maps required by the bill, and meets two of the other four criteria listed in the bill for "fire-ready communities."

(10 minutes)

- 13. Goodlatte (VA)**, Would authorize the Secretary of Agriculture to enter into contracts or cooperative agreements with a State Forester to prepare and implement "good neighbor" projects on National Forest System land to complement any similar project being performed on bordering or adjacent non-Federal land. Would provide that the decision to proceed with a good neighbor project is in the Secretary's sole discretion. Defines good neighbor projects to include certain fuels reduction projects.

(10 minutes)

### **Quote of the Day**

"We must go beyond textbooks, go out into the bypaths and untrodden depths of the wilderness and travel and explore and tell the world the glories of our journey."

- John Hope Franklin

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